

REMARKS

Claims 1-15 are currently pending. Claim 1 has been amended. Applicant respectfully requests reconsideration of the application in response to the final Office Action.

Claim Rejections - 35 U.S.C. §102

Claims 1-15 have been rejected under 35 U.S.C. §102(b) as being allegedly anticipated by BE 635 160. In rejecting claim 1-15, the Office has stated "[t]he structural features of the instantly rejected claims are structurally met by references...." Applicant respectfully requests reconsideration.

BE 635 160 discloses a beverage making apparatus but does not illustrate a heating means as part of the apparatus. Presumably, the apparatus is designed to be used with an external heating means. In contrast, embodiments of the presently claimed invention include a heating means and fluid compartment that are integrated in one body.

To clarify the distinctions over the cited references, claim 1 has been amended to include a recitation "said heating means being integral with said fluid compartment." Support for the change can be found in FIGS. 3 and 5 and the text related thereto, for instance. As the cited reference fails to teach all the limitations of the claimed invention, Applicant respectfully submits that claim 1 is not anticipated by BE 635 610.

Furthermore, Applicant submits that it would not be obvious to incorporate a heating means into the structure of BE 635 160. In that structure, the fluid compartment and the beverage compartment are integral with one another. The added weight and bulk of a heating means would make such a structure cumbersome to use when pouring a brewed beverage. In contrast, by having a beverage compartment which is separable from the fluid compartment, as disclosed in the present application, the incorporation of the heating means into the fluid compartment is readily accommodated.

For at least these reasons, claim 1 is submitted to be patentable. Since claims 2-15 depend from a patentable independent claim, they are also patentable.

Claim 6 depends from claim 1 to include all the features recited in claim 1. In addition, claim 6 recites "fluid compartment includes a built-in control panel and said beverage compartment is detachably connected to said fluid compartment..." A review of the cited reference reveals that the cited reference is silent as to the features recited in claim 6. As such, Applicant respectfully submits that claim 6 is not anticipated by the cited references, and claim 6 is patentable for this additional reason.

Conclusion

Based on the reasons as set forth above, Applicant respectfully requests allowance of all pending claims.

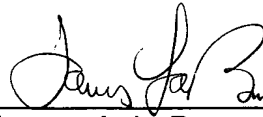
In the event that there are any questions concerning this paper, or the application in general, the Examiner is respectfully urged to telephone Applicant's undersigned representative so that prosecution of the application may be expedited.

Respectfully submitted,

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